

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MICHELE VULCANO HALL	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	No. 10-7603
	:	
EASTON AREA SCHOOL DISTRICT,	:	
SUSAN MCGINLEY AND JOHN	:	
CASTROVINCI	:	
Defendants.	:	
	:	

**ORDER**

**AND NOW**, this 16<sup>th</sup> day of February, 2012, upon consideration of Defendants’ “Motion to Dismiss First Amended Complaint Pursuant to Fed. R. Civ. P. 12(b)(1) and Fed. R. Civ. P. 12(b)(6)” (Doc. No. 7), Plaintiff’s response in opposition, and Defendants reply thereto, and for reasons stated in the accompanying Memorandum Opinion, it is hereby **ORDERED** that Defendants’ Motion is **GRANTED** in part and **DENIED** in part as follows:

- Plaintiff’s requests for punitive damages in Counts I, II, and III are **STRICKEN**;
- Counts IV and VII are **DISMISSED**; and
- Count VI is **DISMISSED** to the extent that it asserts a procedural due process claim relating to Plaintiff’s liberty interest in associating with her father, and to the extent that it alleges any substantive due process claim.

Plaintiff shall have fourteen days from the date of this Order to amend her Complaint as to Count V. Application for dismissal of Count V may be made if a timely amendment is not forthcoming within that time frame.

**BY THE COURT:**

**/s/ Mitchell S. Goldberg**

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**MITCHELL S. GOLDBERG, J.**